

Remarks

Claims 1-50 are pending.
Claims 1-50 are cancelled.

Applicants would like to inform the Examiner that the prosecution of this patent application is now being handled by Thomson Licensing S.A (a large entity) which bought this patent application in a transaction from Grisch Corporation (a small entity). The assignment for this transaction and power of attorney documents should have already been filed with the USPTO.

If the Examiner has any questions about this transaction, the Examiner is invited to call the Applicants' representative at 609-734-6908.

Arguments

I. 35 U.S.C. §102(e) Rejection of Claims 1-50

The Examiner rejected Claims 1-50 under 35 U.S.C. 102(e) as being anticipated by Ben-Shaul et al. (U.S. Patent Application 2002/0010798, hereafter referred to as 'Ben-Shaul'). Applicants disagree with this ground of rejection.

Specifically, Applicants assert that the Ben-Shaul reference cannot be used to sustain a 102(e) rejection of the present invention for the following reasons.

1. The present patent application was filed on August 9, 2000, with a claimed priority date of May 11, 2000 (from non-provisional patent application 60/203,461).

2. The priority dates of the Ben-Shaul reference extend to two provisional applications: 60/198,908 that was filed on April 20, 2000 and 60/232,580 that was filed on September 13, 2000 (which was after the date the present patent application was filed).

3. A non-provisional patent application for Ben-Shaul was filed on February 16, 2001.

The Applicants note that because the reference has two priority dates (from two provisional applications) where one is before the present application's priority date and the other one is after the present application's priority date, the Ben-Shaul reference may not be proper in order to sustain a rejection under 102(e).

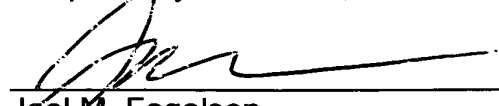
That is, it is not clear if the material that the Examiner used to sustain the rejection under 102(e) of Claims 1-50 came from the provisional application that was filed after priority date of the present invention.

Applicants request that the Examiner either remove the rejections to Claims 1-50 as Ben-Shaul may not be a proper reference to sustain a rejection under 35 U.S.C. 102(e) or the Examiner determine if the provisional patent application filed on April 20, 2000 properly supports all the material that the Examiner used in the published Ben-Shaul reference to reject Claims 1-50.

In view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's representative at (609) 734-6809, so that a mutually convenient date and time for a telephonic interview may be scheduled.

A three month extension to file this response is being requested in a separate paper. The fee for the extension and any other fees owed in connection with this response are to be charged to Deposit Account 07-0832.

Respectfully submitted,


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